BELMONT DEFENDS PELHAM BAY DEAL **BEFORE THOMPSON**

Quotes From Court Decisions to Show He Got 15,000 Inter-Met. Shares Fairly.

TOMKINS BALLAST CASE

and illegality which it contained. This decision has since been unanimously affirmed by the Appellate Division, and under the law that decision constitutes conclusive and final determination

No Fraud or Bad Faith. "The Appellate Division in its opin-

concludes its investigation of the facts with the following statement:

"A full investigation of all the facts and circumstances in the trial at Special Term has resulted in find-ings by the trial court which negative fraud or bad faith and the charges of exaction of an extertionate bonus by Belmont & Co. With these findings we agree.

"The decision establishes the fact that solution had been found for the extraordinary problems presented by rapid transit conditions in this city prior to the year 1900, when John B. McDonald appeared and became a successful later Suitzer stuck to it that he never bidder for the construction and operation of the subway. Concerning him later Suitzer stuck to it that he never later Suitzer S Justice Van Siclen says: "It appears, however, that while

the action of said McDonald was ic in adopting the subway waif, he had neither the money nor atill he had neither the money nor the financial standing to maintain and pport it, and was compelled to look others for the fulfilment of his ntract. • • • Said McDonald was unable to meet the requirements called for by his contract with the defendant Belmont appeared and induced others to join with him with sufficient financial standing and faith in the enterprise to proceed with the

Had to Have Old Company.

undertake the operation of the subways.
The Legislature declined to amend the railroad law so as to permit the formation of a new operating, company, whereupon Mr. Beimont acquired 95 warrant the police declined to act. Later per cent. of the stock of the City Island Railroad Company and the Pelham Park

Doyle wanted the intruders arrested for trespassing, but in the absence of a corespondent Edwin W. Oliver, principal of Hoboken Public School 9, who was in court. All of the charges made by Mr. Demarest are denied by his wife.

them was not an excessive compensa- J. Harry Tlernan, County Judge of

Going to Chicago and St. Louis.

Going to Chicago and St. Louis.

Graph are worth many times the amount having obstructed navigation by beaching a barge on Simonson's Island.

Judge Tiernan held that because sevulars and that the state of the set of the

Mr. Belmont will continue his testimony after the national conventions. He
told Senator Thompson that he was
going to Chicago and to St. Louis, and
in explanation of his desire to attend the
doings at Chicago he said that Mrs. Belmont was interested in the meeting of
suffragists there and that he thought he
would go along to see the fun.

tee was devoted to another rehearing of former Dock Commissioner Tomkins's vesterday considered the garbage matter charge that he hadn't been fairly treated briefly. It will resume its hearing on hen he bid to supply ballast for the new subways.

Chief Engineer Craven of the Public Service Commission was on the stand, and his only explanation of his readvertising for bids after specifications had track ballast were so changed as to cut out Mr. Toma ne's company and also that Francis De C. Sullivan was a di-rector and Cornelius Vanderbilt a stockholder in the company, which ultimately got the contract. Mr. Sullivan is a director of the Interborough.

The communes will continue its hearings this morning.

ROGERS WINS STAY IN TRIAL. Demorrer is Filed to Indictment

for White Slavery. The trial on a white slavery charge of Lorlys Ellton Rogers, who lived with Ida Sniffen Rogers, who lived with Ida Sniffen Rogers prior to their marriage, began yesterday morning before Supreme Court Justice Tierney in The Bronx, but came to a sudden termination when the defendant's attorney withdrew a plea of not guilty and filed a decrease. This was allowed, and the case.

Police Commissioner Arthur Woods was duty at the front.

Capt. August Bibet, who was instructor of French in the University of Toronto and who went to the front nine-teen months ago, returned by the Rodrew a plea of not guilty and filed a decrease.

This was allowed, and the case.

This is done, he said, in cases where

M'ADOO HINTS THAT BURNS MUST FACE GRAND JURY

Magistrate at Close of Testimony in John Doe Wire Tapping Inquiry Says He "Cannot Condone the Offence"—Final Arguments Next Friday.

offence William J. Burns had committed in entering and placing a detectaphone in the office of Seymour & Seymour in the Equitable Building. If he is of this told how he was introduced to Sultzer

Mith August Behann on the stand, the Equitable Business of the Equitab

terborough Rapid Transit Company et al.
After a trial which lasted five days
Justice Van Siclen dismissed on the
merits both the complaint and all the
charges of fraud, collusion, extortion
and Elegality which it contained. This
Buttlerality which it contained. This the detectaphone), and as far as law is concerned and at this stage of the proceedings, I assume it is truthful.

Later on, if we go to trial, you will have an opportunity of being examined." The Chief Magistrate enumerated of the facts.

"The opinions of Justice Van Sicien and of the Appellate Division go elaborately into the history and development of the subway and the financial transactions connected therewith, and I make them and the decision and judgment part of this statement and record.

The Chief Magistrate enumerated three sections of the Penal Code under which Burns might be held, and then asked Mr. Swann to file a brief saying which section, if any, he thought had been violated. If no law covers such acts, he said, the people should know it. The section covers eavesdropping, unleaved the company to reduce its from 15 cents a pound to 13½ c

fice—dishonest employee or anything said he could not condone the offer else—by which war order tips were! Argument takes place on Friday.

After hearing all the evidence and winding up his John Doe inquiry, Chief Magistrate McAdoo said from the bench yesterday that he could not condone the

Cotton Products Company, told how Sultzer represented that through his "guardian angel" in the Morgan office he ould save the company money and also make for himself \$25,000 commission. All this was brought out partly by ques tions from Mr. Swann, partly by John
Seymour of Seymour & Seymour.
Sultzer, Mr. Preston said, sought to persuade the company to reduce its bid

acts, he said, the people should know it. The section covers eavesdropping, unlawful entry and burglary in the third degree.

Just previous to this the District Attorney had announced that Sultzer, having heard the testimony about his "guardian angel," had admitted the truth of that testimony. Sultzer's excuse for pretending he had "underground connections" with the Morgan firm was that he had hoped to make \$25,000 com-

missed." said Mr. Swam.

ing himself appear as big as he could lie was trying to put something over, but it slipped. He is willing to testify to that part, but says there was nobody in Morgan's office he even knew by sight."

marked that Suitzer having pretended to have influence with the Morgan firm made a double fraud, corress and that Burns should be absolved and the inquiry end. He was evidently surprised when Mr. Swann remarked:

"I don't think two wrongs make a control of the inquiry end. He was evidently surprised when Mr. Swann remarked:

"I don't think two wrongs make a control of the inquiry end. He was evidently surprised when Mr. Swann remarked:

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"I don't think two wrongs make a control of the inquiry end. He was evidently surprised when Mr. Swann remarked:

"I don't think two wrongs make a control of the inquiry end. He was evidently surprised when Mr. Swann remarked that Suitzer.

KIDNAP GUARDS AGAIN SON ACCUSES MOTHER, IN GARBAGE PLANT WAR SUED FOR DIVORCE

for Decree.

Thirty Men in Boats Capture Aids Supt. Demarest of Hobo-Three on Island-Deciken Schools, Who Asks sion for Contractor.

court, Mr. Belmont informed the Thompson committee that when operation of the subway began to be considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in Mariners Harbor, Staten Island, at about witnesses against his mother, trial of a considered in the rapid transit act was in-as making it obligatory that watchmen in the employ of Edward P. of Schools Abraham G. Demarest of only a railroad company already operating a railroad in New York city could Doyle, so Doyle reported to the police Hoboken against Mrs. Fannie Demarest

rough stock. Mr. Belmont nake it clear by his quota-the court records that the few weeks each claimant has attempted franchises of the City Island and Pet- to enforce his alleged right to the propham Park roads were valuable fran-chises and that his acquirement of 15.-000 shares of Interborough stock for said to have been brought to Manhattan.

for the risks he had taken.

The court has expressly found," he
I, "that the 15,000 shares were issued ney, Gahagan & Van Etten may proo August Belmont & Co. for ample con- ceed with the erection of their proposed to August Belmont & Co. for ample consideration; that the properties and succeed with the erection of their properties and succeed with the erection of their properties and succeed with the erection of their properties. The dependence of the Interborough Rapid Transit Company was issued were fairly and reasonably worth a sum at least equal to the part of a proceeding brought by Doyle, who par value thereof, and every one knows. par value thereof, and every one knows asked that the Grand Jury investi-that to-day the properties so trans-

the writer had charged that his tele-phone wire had been tapped. The June Grand Jury after organizing

Thursday when, it was reported, Police Commissioner Woods may be called. It is expected that the wire tapping charge

been changed was that the Tomkins quarry wasn't nice and clean. It was shown again that the specifications for Wants Thompson to Finish Before French liner Rochambeau with news Prosecuting Priests.

Mayor Mitchel said yesterday that he had determined not to bring any formal and organized for the French Govern-charges against Mgr. Dunn, Father ment several hospitals, one of which at Farrell and others concerned in the recent wire tapping cases until Senator Thompson's committee had finished its. hompson's committee had finished its

the American forces. Complaints received in Juarez from exican ranchmen stated that an

her return from their summer home in the Greenhald company must wait until the Chicago contained and found Oliver waiting also. In the Demarest home at 1017

The article was printed and the suit Bloomfield street, Hoboken, he said, he filed yesterday is the result.

found Oliver hiding behind a sofa one night in March, 1914. He had returned home late and found the house in darkness save for a light in the hallway.

Supt. Demarest testified that his salary was \$4,000 a year and that he received Going to Chicago and St. Louis.

Mr. Belmont will continue his testi
Judge Tiernan held that because several members of the present Grand certain royalties from books. He told of visits made by Oliver to the Hopatham of visits made by Oliver to the Hopat-cong summer home and said that he finally ordered Oliver to leave the place. A deposition made by Heda Albright-sen, a servant in the Demarest home, was read in court. The girl told of seeing Mrs. Demarest and Oliver take frequent walks together at Hopatcong when the husband and son were absent. The girl died since making the affidavit.

HORSE HOSPITAL A SUCCESS.

Countess de Perigny Tells of Husband's Work for French.

The Countess de Perigny, daughter of from the French hospital service. She became a trained nurse before the war

Thompson's committee had finished its investigation. The Senator was annoyed when he learned of the Mayor's decision and said that Mr. Mitchel was not keeping his word.

The Thompson committee continued yesterday its investigation of wire tapping. Police Commissioner Arthur Woods was questioned in executive session concerning.

The countess said that her husband, an officer of cavalry, had two horses shot under him and had been wounded several times. He is in charge of a hospital for wounded horses and had made a success of the novel enterprise, saving hundreds of wounded horses for duty at the front.

Cant. August Ribet, who was instanced.

drew a plea of not guilty and filed a de-murrer. This was allowed, and the case was postponed pending the decision of the Appellate Division, expected in about three weeks.

Company.

This is done, he said, in cases where information of gambling houses, pool-rooms and disorderly houses is being sought.

wounded sergeant to safety under fire, and the cross of war for gallantry in opposing German attacks. He is 53, but looks younger. He says he will return to the front two months hence.

ANOTHER CONSUL IN OPPENHEIM'S SUIT **MEXICO FORCED OUT** AGAINST "MET" ON

Hostility Toward Americans Lawyer Once Disbarred Asks in Acapulco Causes Edwards \$300,000 From Old Railto Quit Post. way Company.

WASHINGTON, June 5 .- Clement Ed-

PERSHING AT BORDER.

Et Paso, June 5 .- Gen, Pershine arrived at Columbus, N. M., this morning. He announced that he came north to

on the right track. He had been given that he had hoped to make \$25,000 commission by a colossal bluff.

"Sultzer pulled a pretty long bow and missed," said Mr. Swann. "He was making himself appear as big as he could he said. Lynch also revealed that it carranza Government forces are not now was he who tapped the Morgan telephone with the firm's knowledge.

After testimony was in Mr. Beck rescaped the Americans because of lack After testimony was in Mr. Beck re-marked that Sultzer's confession of having pretended to have influence with matters have not been sent out by the correspondents because of strict censor-

> Gen, Gavira, commanding the Mexican troops in the northern zone, left Juarez, to-day for the field, to supervise the distribution of his forces, he said. He expects to take station at Casas Grandes, where he will be in close touch with

American scouting party which recently evacuated San Miguel Chico, and con-centrated with other troops near Namiquipa, burned some of their grass and indeered a number of their horses

the American army, has arrived here un-

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LANGUAGES.

BOTH SEXES. NEW YORK CITY, New York. MORACE MANN SCHOOLS. West 246th St. and Broadway at 120th St., New York City

pulco, Mexico, has left his post and Metropolitan Street Railway Company returned to the United States. Although and Thomas F. Ryan, H. H. Vreeland,

Said He Could Get Any Contract.

"He said he could obtain any contract in Morgan's office," said Prindle grimly. "Of course I didn't tell him I was from Morgan & Co."

The preceding witness, Schermer Prestrange Anglo-American is thought now that he will take it up is the defendants even bribed a Supreme Court referee to recommend a reversal of a \$5,000 verdict Oppenheim had obtained for a filent. He declared that detectives for the Metropolitan made love to women witnesses for Oppenheim's clients in order to get them out of New York. Mr. Mooney said he expected to show that some of the Metropolitan made love to women witnesses for Oppenheim's clients in order to get them could obtain any contract that the defendants even bribed a Supreme Court referee to recommend a reversal of a \$5,000 verdict Oppenheim had obtained for a filent. He declared that detectives for the Metropolitan made love to women witnesses for Oppenheim's clients in order to get them of the preme Court of the preme Court of the preme Court of the pr expected to show that some of the Metro politan directors actually knew who knew what was being done with the \$50,000 "O. &

"And Petrosino would have caught him too," said Steuer, "but for the fact that Oppenheim was tipped off that the net

Oppenheim was tipped off that the net was closing in on him."

Oppenheim, who was the only witness called yesterday, denied that he had teen guilty of any improper practices as an attorney. He told the history of the proceedings against him. Justice Goff sustained many objections made transfer when the processory is the processory of yesterday by counsel for the individual defendants, but overruled those made by counsel for the Metropolitan.

A judgment against the company will mean nothing, because the United States District Court has refused to set aside any of the Metropolitan's assets to pro-The case will go on to-day

MRS. HODGES STILL LIVING.

Grave Condition. Long Branch, N. J., June 5.—Mrs. Frank Hodges of Red Bank, who was brought here yesterday after she was shot by her husband, is in a critical condition in the Monmouth Memorial Hos pital with a bullet wound in her left

A battery of the Fifth Field Artillery Yesterday morning Mr. and Mrs. om Fort Sill, Oklahoma, with four 4.7 Hodges and their nine-year-old daughter both guns, the heaviest field artillery in They reached home about 1 o'clock and ers. expectedly.

Gen, Bell announced to-day that he would parade all his forces through the streets of El Paso on Wednesday morning. "I am doing it to show any doubting. Thomases' that El Paso is amply the large teached about 1 octobe and shortly after that there was a quarrel, according to the child. The child heard her mother scream and then a pistol shot sounded. Hodges came hurrying downstairs and in reply to the child's frightened question told her he had shot her and ushers—en

Hodges is in the Freehold jail awaitng the outcome of the injury to his wife.

Watch Inquiry by State. The threatened general strike of com-percial telegraphers was postponed yes. | Collisions? Never! goods mercial telegraphers was postponed warrant the police declined to act. Later per cent. of the stock of the City Island Railroad Company and the Pelham Park Railroad Company and the Pelham Park Railroad Company for about \$270,000. Then came the desired legislative Andread Railroad Railroad Company for about \$270,000. Then came the desired legislative Andread Railroad Railroad Company has farmed. Mr. Belmont turned over to this company his shares in the City Island and Pelham Park companies and received in exchange 15,000 shares of Interborough stock. Mr. Belmont turned court south to make it clear by his quotations from the court respect to the company has attempted by his quotations from the court respects the stock of the City Island and vertised sale of goods and stating that the goods were not from the charges made by Mr. Before the publication of the article, which is investigating the discharge of rich fribunes from the goods were not from the Andread by his wife.

Stanley Demarest testified that he will be good to the charges made by Mr. Before the publication of the article, which is investigating the discharge of rich fribune announced it, and the Greenhut of the charges made by Mr. Before the publication of the article, which is investigating the discharge of rich fribune announced it, and the Greenhut of the City Island and Pelham Park company his shares in the considered for the carbage plant before that on one occasion he went to the sought to make it clear by his quotation. Supreme Court the steved damage, and that the goods were not from the findings of the Mass and stating that the goods were not from the AD. Matthews stock, as advertised sale of goods and stating that the goods were not from the findings of the Mass and stating that the goods were not from the AD. Matthews stock, as advertised. Before the publication of the article, which is investigating the discharge of rich fribune announced it, and the Greenhut of the AD. S. J. Koernels and other that the goods were not from the AD. Matthews stock, as advertised. Before the p any event until Konenkamp's

HELD IN BOUCK WHITE FLAG BURNING ACTION

Melting Pot" Produced in Court at Hearing of Ten Defendants.

Magistrate McAdoo held a preliminary hearing yesterday in the cases of ten persons, members of Bouck White's Church of the Social Revolution, who took part in the burning of the Ameri wards, United States Consul at Aca- Oppenheim, the lawyer, against the old can and other flags on the eve of White's trial last week for flag desecration. The Chief Magistrate sat in Part VI. of General Sessions. The "melting pot"

Morris Gest Leases the Manhattan O." fund and that others are liable because they should have known.

Max D. Steuer, who appeared for Henry A. Robinson, told the jury that his client was being made a scapegoat by the Metropolitan directors. He described that the condust of Opponism is structed revolving stage and new scenic effects. clared that the conduct of Oppenheim in certain cases against the Metropolitan and motion pictures will be the general policy. The Manhattan was formerly Joe Petrosino was engaged to trap him. with Comstock & Gest.



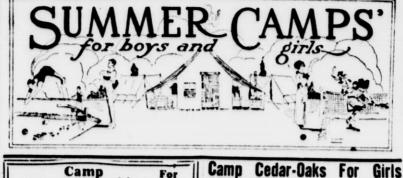
It's perfectly true: June wedding invitations sometimes divorce old cutaways! Styles do change!

Cutaways, dress suits, silk toppers, shirts, patent leath-Everything June weddings

Why two trunks? Our "Mr. & Mrs." ward-Sues New York "Tribune" for Ar. TELEGRAPH STRIKE DELAYED. robe trunk has a place for Union Head Goes to Boston to everything honeymooners wear. Her hat. His shoes.

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Pok-o'-Moonshine Boys Pok-o'-Moonshine Boys
Willsborough, Easex tounty, N. Y.
In the Adviondacks
Unquestionably one of the finest camps
in the country. Dillon Waliace says:
"In several respects it deserves, indeed, a place by itself." If ith season.
Ages 9-17. 85 acres with over a mile
of lake front on Long Pond, a "picturesque and romantic little lake." 3
miles long. 5 dirt tennis courts, 2 B. R.
diamonds, 50 boats and cances, 50
tents (14x14, with floors), 6 buildings,
16 Musters, most with records 4-6
years at Pok-o'-Moonshine. Best of
food. Camp chef has been Peckskill
Academy chef for 18 years. The
charges include R. R. transportation
and systematic daily tutoring for 2
hours. Last year 18 boys traveled
18,000 miles to reach camp. For Catalog and Annual address
Dr. C. A. Robinson, Peckskill Academy,
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P. PAULSEN, Prin, U. S. M. A. Children's
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LOSES MIND WHILE IN TAXI. rest the man after he had thrown most

90 Beekman street, with a home at

of the cushions and robes out of the cab windows. Frelloher stepped into Head of Drug Firm.

A man believed to be Edward S. Woodward, formerly vice-president of E. Fouward, formerly vice-president of E. Foustreet. He fell in front of an approaching street car and barely escaped being run over.

The man was finally overpowered by 90 Beekman street, with a home at Irvington, N. Y., was taken to Bellevue Hospital last night for observation after fused to answer questions and regarded he had acted very strangely in a taxicab at Eighth avenue and Twenty-third street.

Thomas Harmon, chauffeur of the taxi, asked Policeman Freiloher to ar-

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GLOBE BWAY. CONTINUOUS DAILY from 2
BILLIE BURKE in "Gloria's Romance." Mo-tion Picture Novel. Chaps. 5 & 6. Spec'l This Aft'n, Chaps. 1, 2, 3, 4, CIVILIZATION

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Hon.Lover, Helena's Husband, Clod. Patell

Maxine Elliott's 39th, nr. B'way. Evs. \$1.50 Mat. To m w 2

Herald: Miss Tempest was Irresistible

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BRIGHTON Kramer & Morton & Howard Charles Petitionals

HOTELS AND RESTAURANTS.

Luchow s 14th Street near Fourth Avenua

